



## United States District Court

District of Minnesota

March 12, 2025

CHAMBERS OF  
DONOVAN W. FRANK  
DISTRICT JUDGE

WARREN E. BURGER FEDERAL BUILDING  
AND UNITED STATES COURTHOUSE  
316 NORTH ROBERT STREET, SUITE 724  
SAINT PAUL, MINNESOTA 55101-1477  
(651) 848-1290

### VIA U.S. MAIL AND CM/ECF

Hon. William E. Phillips, II  
Suite 316  
107 E Main Street  
Rogersville, TN 37857

Hon. I'Ashea L. Myles  
Suite 407  
1 Public Square  
Nashville, TN 37201

Hon. Nicholas Ostuni  
Bergen County Justice Center  
10 Main Street, Floor 4  
Hackensack, NJ 07601

Hon. M. Katherine Mullinax  
Judge Daniel T.K. Hurley Courthouse  
Room 6.2208  
205 North Dixie Hwy.  
West Palm Beach, FL 33401

Hon. Gabrielle N. Sanders-Morency  
Jon B. Morgan Osceola County Courthouse  
Courtroom 5-E  
2 Courthouse Square  
Kissimmee, FL 34741

Hon. Mark E. Windham  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple Street  
Los Angeles, CA 90012

Hon. Judy S. Bae  
Superior Court of California  
County of San Diego  
Hall of Justice  
Third Floor  
330 West Broadway  
San Diego, CA 92101

Hon. Angela Williams  
Suite 204  
350 Discovery Boulevard  
Cedar Park, TX 78613

Hon. Cheryl K. Thomas  
Edgecomb Courthouse  
Room 525  
800 Twiggs Street  
Tampa, FL 33602

Hon. Michael D. Washington  
Superior Court of California  
County of San Diego  
North County Court  
325 South Melrose Dr.  
Vista, CA 92081

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Hon. Susan I. Strong  
Lancaster District Court  
575 S 10th Street  
Lincoln, NE 68508

Hon. Christopher Whitten  
East Court Building 413  
101 W Jefferson St.  
Phoenix, AZ 85003

Hon. Eric J. Netcher  
Orange County Courthouse  
Courtroom 18-C  
425 N Orange Ave.  
Orlando, FL 32801

Hon. Scott Ryan Kerner  
Judge Daniel T. K. Hurley Courthouse  
Room 10.2208  
205 North Dixie Hwy.  
West Palm Beach, FL 33401

Hon. Lynne T. Ingram  
Suite 604  
1 Public Square  
Nashville, TN 37201

Re: MDL 3108 Change Healthcare et al.

Dear State Court Judges:

Today I issued a Coordination Order proposing a plan for coordinating discovery between the federal MDL and your state court cases. That Order is attached. The purpose of this Order is to avoid unnecessary duplication of discovery, saving resources for the courts and the parties.

I invite each of you to issue such an order in your respective state court cases. The Coordination Order I issued is not binding on state courts—it simply allows coordination with state courts that choose to issue complementary orders. For those of you who choose to issue such an order, I believe we will be able to promote prompt resolution of the cases, while respecting each other's independence.

To briefly summarize the Order: Any discovery relevant to both the MDL and an action in a state court which adopted the Order will be shared, subject to any protective orders. The Order does not control discovery of issues relevant only to the state court actions. The Order includes specific guidelines for deposition practice, requiring non-plaintiff depositions to be noticed in the MDL as to provide MDL counsel an opportunity to participate. The Order also describes the written discovery process, dictating that any party—in either the federal or state actions—is entitled to copies of written discovery.

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If you have any questions or concerns about how this Coordination Order would impact your proceedings, please feel free to reach out. I want to emphasize that my goal is simply judicial efficiency. Even if I hadn't been a state court judge myself, I have no interest in stepping on the toes of state courts.

To update you on the status of the MDL: The Court is currently awaiting motions to dismiss, which are due March 21, 2025. The Court's February 4, 2024 Order on the briefing schedule is available on the District of Minnesota's website: <https://www.mnd.uscourts.gov/content/change-healthcare-inc-data-breach>. The next Status Conference is scheduled for April 17, 2025 at 9:30AM Central. The audio access information to listen to the conference remotely will be available the week of April 7th on the website.

Thank you for your attention to this matter. If you have any questions, please feel free to give me a call (651-848-1290) or email me ([frank\\_chambers@mnd.uscourts.gov](mailto:frank_chambers@mnd.uscourts.gov)).

Very truly yours,

s/Donovan W. Frank

DONOVAN W. FRANK  
United States District Judge

DWF/ljl  
Attachment